

**STATE OF TENNESSEE  
DEPARTMENT OF COMMERCE AND INSURANCE  
TENNESSEE ATHLETIC COMMISSION  
500 JAMES ROBERTSON PARKWAY  
DAVY CROCKETT TOWER  
NASHVILLE, TN 37243**

**Tuesday, September 30, 2008**

**Call to Order** at 1:02 p.m. by Chairman Jack Sammons.

In attendance were Steve Majchrzak, Assistant Commissioner Regulatory Boards, Wayne Pugh, Deputy General Counsel, Commissioners Steve Hannah, Jack Sammons, Neal Frauwirth, M.D., Teri Mast, Scott White, Chuck Clark, Joe Smith, Stuart Howard. Commissioner Kurt Spindler, M.D. at 2:30 p.m., Leslie Bridges from AG office, Nicole Canter for minutes,

**Approve minutes** of September 5, 2008 meeting. Motion by Commissioner Mast, second by Commissioner Hannah, motion carried.

**Staff Report** by Steve Majchrzak. A copy of the media release announcing the formation of the commission was circulated to media outlets and law enforcement agencies. Assistant Commissioner Majchrzak also reviewed the RBS system and the step-by-step complaint process.

**Personnel Committee** report by Commissioner White re: Administrative Director. Once the position is established through DOHR and the recruiting process results in a candidate, the commission will appeal to DOHR for certification of hiring at the salary recommended by the Board. Due to the current hiring freeze, the Department may have to request a waiver, per Assistant Commissioner Majchrzak.

The DOP 'position classification questionnaire' ("PCQ") will be reviewed by the DOP to decide if the duties equal the salary requested by the commission. The DOHR 'class specification' document describes the duties and responsibilities of the Administrative Director position as well as the salary range.

The Commission suggested revisions to the DOP position classification questionnaire, modifying the requirement that industry experience is desirable but not mandatory, knowledge of drug testing desirable but not mandatory, and experience may be substituted for education.

The Commission reviewed salaries for similar positions in other states. The committee felt that Georgia was the most comparable state, and recommended a salary range of \$2,950 – 4,722 for the Tennessee Administrative Director. Commissioner White stated that as the position duties and requirements are refined that figure may fluctuate. The Commission agreed upon the need for flexibility in all aspects of the position. It is not

mandatory to approve a final salary figure today, as it is based on the position classification and its parameters.

There was a question as to location of the office of the Director; does the office need to be in Nashville? The applicant pool would be considerably larger and the job more attractive if the candidate did not have to relocate. It is possible, but highly unusual. That decision would be subject to DOHR approval. Chairman Sammons suggested approving the committee's suggestions, subject to comments from the entire commission up to Friday noon, and reconvening telephonically on Monday. Commissioner Smith opposed the suggestion as the committee was appointed and did the work.

Commissioner White made a motion that the PCQ be submitted to DOP for review and submission to HR with changes previously submitted. Commissioner Clark seconded and the motion carried.

## **Rules**

Deputy General Counsel Wayne Pugh presented a draft of rules based upon the former boxing commission rules, and MMA/kickboxing rules as promulgated in Nevada, New Jersey and California.

Page 1 - Commissioner Clark asked the difference between public necessity and emergency rules. Wayne Pugh explained. No other comment. Approved page 1.

Page 2, 3 - no comment. Approved pages 2 and 3.

Page 4 - 0145-01-.02 per Commissioner White, transfer definitions into rules so no going back and forth between statute and rules. Put that the definitions apply to entire chapter. Approved.

Page 4: 0145-01-.03 (1) per Commissioner White, include promoter or matchmaker in list of licensees. Approved.

Page 4: 0145-01-.03 (2) add language "or any other information requested by the Commission or Commission's administrator" as suggested by Leslie Bridges. Approved.

Page 4 - Will supplement fee schedule and approve after rules.

Page 5 – 0145-01-.03(5) per Commissioner Frauwirth, need to be more specific as to vision screen, recommends "dilated eye exam". Purpose of DEE is that it could be performed by optometrist or ophthalmologist, and give combatant flexibility. Regular vision exam does not give adequate vision of retina to find detached retina. Commissioner Spindler agrees. The cost ranges from \$80 to under \$200 - depends on facility. Eyemasters in mall, may offer dilated exam as part of complete examination of eye. Concern about not recognizing retina problems and becomes real problem when fighting. Cost is not prohibitive.

Per Steve Majchrzak, there is a form for medical exemption. The commission may be able to create form specifying requirements for combatants to fill out. Less onerous to change form than rules. These are expedited rules, so give flexibility now. That form can add specificity and also say or any other as requested.

Commissioner Frauwirth - also "infectious diseases" is not specific enough either. Other states have hepatitis B, C anti-body, HIV, etc. listed out. Commissioner Spindler agrees. Also goes to NCAA regs in other sports.

Suggested change for 0145-01-.3(5) All combatants shall be required to submit upon application on a form provided by the TAC the report of medical examination including but not limited to a vision screen including a dilated eye exam performed by a licensed optometrist or ophthalmologist and a blood test for infectious disease including Hepatitis b surface antigen, hepatitis c antibody and HIV, performed no later than etc. Approved.

Commissioner Frauwirth suggested a change to 0145-01-.03 (5) by adding "by a neurologist or neurosurgeon requirement for 35 years or older." Older fighters are more susceptible to neurologic injuries later in their career. Detect subtle abnormalities upon a neurologic examination.

Suggested change for 0145-01-.03 (5) "shall have a neurological examination by a neurologist or neurosurgeon and submit a medical report..." Approved.

Page 5 0145-01-.3 (8) Leslie Bridges proposed language allowing commission to request a larger bond. "In an amount no less than \$25,000." Approved.

Page 5 0145-01-.03 (9) is this office providing cards? Wayne Pugh will change rules to allow for electronic fingerprinting.

Question by Commissioner Howard – what is the cost for background checks? Per Steve Majchrzak, the fee will be paid by person having background check. The fee is \$48. Wayne Pugh will specify that the cost is borne by licensee/applicant.

Commissioner Howard – strike requirement that probation must be completed and, conviction of listed crimes will disqualify an applicant. Steve Majchrzak clarified that it is only promoter, manager, judge or referee license. Most other boards/commission have that caveat. Commissioner Smith stated that we don't need felons promoting this sport. Folks that are money handlers should not be felons. Commissioner Clark asked if that is not taken care of with surety bonds? He is against someone never having second chance.

Commissioner Frauwirth stated that a judge or referee is to be beyond reproach. Changing this requirement could call into question the character of someone with those violations. Need an ethical measure. Commissioner Mast commented that it could be changed to 5 years after, rather than forever.

AG Leslie Bridges pointed out that there is nothing in the law that would prohibit commission from adopting a shorter time frame. Can also massage language to change word shall to may disqualify. Commissioner Howard suggested striking section (b). Commissioners Mast, Spindler and Frauwirth opposed suggestion on the basis that the sport needs people who can show restraint.

Commissioner White – reduce to 5 years but kept general prohibition?

Commissioner Smith – 5 years for felony and 3 years for misdemeanor?

Commissioner Howard- get a divorce and wife calls and says he slapped her, he's charged and that's going to be his livelihood. Laying of one finger is assault in TN. I can be charged and can't promote.

AG Leslie Bridges – change language from shall to may, make it within the commission's discretion.

Steve Majchrzak – they pay an application fee so shouldn't put them through application process and fee and then not know if they will get approved.

AG Leslie Bridges – could use shall for felony and more discretionary term may for misdemeanor.

0145-01-.03(9) Changed to “Conviction of the following crimes may disqualify an applicant, subject to the conditions stated in this section:”

Commissioner Howard - if it is a felon, he or she is gambling with their money.

Commissioner Clark – my opinion is stay with ‘may’ on all of it.

Commissioner Smith – often the athletes we're attracting and officials and judges are folks who have struggled but as a result of their involvement in this sports their lives change so we need to be careful.

AG Leslie Bridges – include a (6) including misdemeanors of boxing statutes in other states.

Chairman Sammons – seems there is a split decision as to shall and may.

Commissioner Hannah – there are good points on both sides. Most of the teams come from various backgrounds but are folks handling money, judging, they are representing Tennessee. But there are people who will make bad decisions and everyone should be accountable.

Chairman Sammons – use “may” as to misdemeanors including (6) violating boxing statutes in other states. Approved without objection.

Chairman Sammons – vote to use “may” for felony. Commissioners Clark, Howard, and Smith for. Rest opposed, favor ‘Shall’. Shall has it.

Wayne Pugh – will this provision include matchmaker? Yes.

Page 6 0145-01-.04 (1) Commissioner Howard suggested a change to the 30 day provision. Cannot change, is per statute.

Page 6 0145-01-.04(2) Commissioner Howard – put promoter information on application for permit. Wayne Pugh – application would be in promoter’s name. Can add “or any info as prescribed by the Commission” to application.

Steve Majchrzak – nothing as to temporary licensing in lieu of permits pursuant to 0145-01-.04. Wayne Pugh – temporary permits were provided for in old statutes, NOT provided for in new statutes.

Commissioner Smith re: (2)(e) medical insurance. For events when TAC/State of Tennessee is sole permitting body, is state listed as additional insured? Could be a concern as to litigation.

Commissioner White – is there immunity?

AG Leslie Bridges – can be sued even if immune. She will not opine that State is immune without statute in front of her. Can take under advisement.

Section (5) will be (4), (6) (5), (7) (6).

Commissioner White re: page 7. 0145-01-.05(7) should require proof or copy of medical coverage. Wayne Pugh – that is covered under 0145-01-.04(2)(e) as to application.

Wayne Pugh – do you want that language in .05(7) as well? Yes.

Commissioner Hannah – thinks \$50,000 is a little high.

Wayne Pugh – dictated by statute. *Promoter* must have minimum of \$50k not fighter.

Commissioner White – 0145-01-.06(2) should reference 0145-01-.04 instead of .06. Approved.

Commissioner White – lacking language as to submitting statement as in old rules under .03. regarding last time unconscious. Reason?

Wayne Pugh – referred to in 0145-1-.08 Combatants Generally.

Commissioner Frauwirth – will be on pre-fight physical questionnaire, that covers that.

Wayne Pugh – can include language under .08

Page 7 approved.

Page 8 0145-01-.08 (5) - will add language about forms pursuant to above.

Commissioner White – 0145-01-.08(1) who pays for urine test? Commissioner Frauwirth – TAC assumes cost through fees.

Commissioner Hannah 0145-01-.09(2) should substitute “combatant” instead of “boxer”.  
**Will be changed unilaterally throughout rules.**

Commissioner Frauwirth - .08(5) – need to clarify that there are 2 different physicals. Licensing physical and weigh-in/pre-fight physical. Also, 14 days before contest for pregnancy test: is it legal to require female athletes to have a pregnancy test?

AG Leslie Bridges – has to do with privacy issues. But will check on it. Also, does that have a health based significance that would apply to women but not men?

Commissioner Frauwirth – physical is a necessity if there is no pregnancy test.

AG Leslie Bridges – suggest that if purpose of test is to determine pregnancy -----

Commissioner Frauwirth – not always, can determine cumulative trauma, other pathologies. Talking about reproductive ability of combatant.

AG Leslie Bridges – reason for distinction between male and female?

Commissioner Frauwirth – to ensure reproductive viability.

Commissioner Hannah - 0145-01-.10 change to combatant instead of boxer.

Commissioner Frauwirth - .09(1) takes issue with word “shall”: mandates duties of ringside physician. Other states – ringside physician determines if emergency care is need in ring and will call for EMT. Basically mandating ringside dr. to become part of emergency medical team and putting liability on ringside physician as far as emergency medical care. And drs. are not protected as a state employee.

AG Leslie Bridges – may be able to alleviate concerns by including types of insurance promoter has to provide covers drs.

Commissioner Frauwirth – no, dr. will get emergency medical treaters. Want “may” instead of “shall” as to providing emergency treatment. Commissioner Spindler agrees.

Commissioner Smith – are promoters required to have EMT’s? Yes, per statute.

Steve Majchrzak – “may” will render entire section as optional.

Chairman Sammons – put a period after “indicated.” Then “Shall report entire matter...etc.”

Title of Chapter should be Professional Contest rather than Professional Boxing per Wayne Pugh. These are the same rules as previous regime.

Commissioner White – 0145-02-.05, seems a mistake leaving out cruiser weight class. Should cruiser weight use 10 oz. or 8 oz.?

Commissioner Smith – promoters want latitude with that.

Steve Majchrzak – we will look into that, look at other jurisdictions, and get back to commission. Maybe refer to Nevada. Commissioner Smith – use Nevada rules, commission in agreement.

Commissioner Clark – when will bureaucracy stop and let us get back to business? Does not want to wait the week to get emergency rules into effect.

Pages 12, 13, 14 approved.

Page 11 0145-02-.10 (1) should point to 0145-01-.03 not 0145-01-.04 per Commissioner White, approved.

Page 12 0145-02-.10(2)(a) strike “or temporary permits” per Commissioner White, approved.

Page 15 0145-02-.16(2) need to eliminate “electrolyte solution” per Commissioner Frauwirth, approved.

Page 15 0145-02-.16(2) change Vaseline to “petroleum jelly” per Commissioner Howard, approved

Check section numbers. Page 15 approved.

Page 16 0145-02-.19 questioned by Commissioner Howard. Commissioner White – from previous law and has caused a lot of problems. May need to look at further down the road.

Wayne Pugh – that is taken directly from old rules. May need to delete rule since most promoters have contracts with fighters = financial interest.

Chairman Sammons – strike it.

Steve Majchrzak – typical provision and typical problem in other jurisdictions.

Commissioner Clark – strike it.

Commissioner White – strike it.

Commissioner Frauwirth – 0145-02-.17(3) need to delineate other injuries, expand on what medical suspensions are. Need to table and revisit. Or leave at 30 days. No change.

Commissioner Smith – 0145-02-.20, strike breast protector requirement. Breast protector is optional at national and international level.

AG Leslie Bridges – can leave it in rule for now and [I] can look at lawsuit against USA boxing.

Page 16 approved.

Page 17 Commissioner Howard - is 0145-02-.22 done in other states? Wayne Pugh – yes, controlled by ABC. Commissioner White – 0145-02-.22(a) references “director” but should reference “commission.

Page 17 approved.

Page 18 0145-03-.02 ring set up in “manner approved by Commission” – Commissioner White – how to enforce that?

Commissioner Smith – (a) and (b) set forth...

Commission moved on.

Page 19 Commissioner White – 0145-03-.03 should point to 0145-1-.04.

Pages 17 18 19 approved.

Commissioner Frauwirth – 0145-03-.03(3)(b) need to specify “kickboxing” as MMA does not have a standing 8-count. “Referee may in a kickboxing event”.

Commissioner Hannah – does referee “may” give us flexibility?

Commissioner Frauwirth – never seen standing eight count in MMA matches. EVER.

Commissioner Frauwirth – are unified rules numbered from 1 -32? Wayne Pugh – dictated by SOS. Commissioner Frauwirth – lettered. So (b). It is very controversial b/c it is ambiguous as to what is considered the back of the head. Suggests expanding (b) define back of head if including (b). Commissioner Hannah – copy California.



Commissioner Frauwirth – will provide to Wayne Pugh. AG Leslie Bridges – prohibition of any striking technique on back of head. Commissioner Smith – in section (d), we will include a definition of head, neck and spine as in California.

Page 20 Commissioner White – strike 0145-03-.03(2)(a) strike temporary permits.

Page 20 approved.

Commissioner Howard - page 21 0145-03-.04(1)(bb) should be stricken. Commissioner Frauwirth – strike (z)(aa)(bb), replace with kicking the head of a grounded opponent, kneeling the head of a ground opponent, and stomping a grounded opponent.

Public member Jeff Mullen UFC Judge since 1996, addressed the commission. Crown of head down back of head width of mohawk 1 inch either way is MMA. Go with between ears and back of head like CA and NV. Striking grounded opponent – cannot kick opponent in head or knee his head, can't stomp a grounded opponent at all.

Commissioner Frauwirth – strike z, aa, bb and replace with

(z) – no kicking head of grounded opponent

(aa) – no kneeling head of grounded opponent

(bb) - no stomping of grounded opponent

Commissioner Frauwirth – 0145-03-.04(1)(ii) throwing towel. Suggested striking (ii).

Jeff Mullen – other states prohibit throwing in towel.

Discussion of towel throwing tabled. Leave in rules for now.

Commissioner Clark – do we need to take this out? Commissioner Spindler – let's delete it. (ii) deleted. Page 21 approved.

Commissioner Hannah – page 25 0145-03-.13(2) non-title mma fights have 3 5-minute rounds. AG Leslie Bridges – gives promoter latitude. Jeff Mullen – leave it as is.

Pages 22, 23, 24 approved/adopted.

Page 25 Commissioner Hannah questioned 0145-03-.14(5). Commissioner Frauwirth – incorporate (page 10) 0145-02.04 bandages into 0145-03-.14 apparel.

Commissioners White and Frauwirth questioned – 0145-03-.13

Commissioner Frauwirth – post-fight exam provides medical suspension for each fighter. Steve Majchrzak – rules do not provide for post-fight exams.

Commissioner White – refer to page 16 0145-02-.17(3) is not in MMA rules. Additional comment by public member Jeff Mullen.

Add 0145-02-.17(3) to MMA rules tailored to MMA.

Tabled. No decision.

0145-03-.14(1) add at end “or any other apparel approved by commission.” Approved.

Page 25 as approved.

Page 26 approved.

Page 27 0145-05-.01(2) Commissioner Hannah - how do we define abusive lyrics? Commissioner White – do not have to fine, but reprimand/send letter of warning.

Page 27 0145-03.20(5) Commissioner Hannah questioned only allowing one mgr. in ring. Would like to have 2 mgrs. allowed. In (5) change “or” to “and” (only one (1) manager and second)

Page 27 and 28 approved.

### **Discussion of amateur events.**

Page 29 Commissioner Frauwirth – will we allow other sanctioning agencies in State?

AG Leslie Bridges – promoters of amateur events can obtain permits. Intent of act is not to allow commission to over regulate. Can be an overlay of regulation by the commission. Promoters of MMA and kickboxing events have to have permits from commission and there can be some approval process for sanctioning a governing body. Wayne Pugh – independent sanctioning organizations have to be approved by commission.

Commissioner Smith – as to amateur events. Will amateur groups have to get permit every time they want to have an event? Wayne Pugh – that is the Board’s decision. Steve Majchrzak – good to permit amateur events, know whose sanctioning, etc. Commissioner White – what authority did old law give department related to amateur events? Wayne Pugh – none. Commissioner could approve certain events. Steve Majchrzak – in what manner do you want to approve sanctioning organizations? Then permitting events after that. Commissioner White – do we have to address this in emergency rules? Needs a lot of discussion. Wayne Pugh – 0145-05-.02 covers this. Commissioner White – do not want to put a bigger burden on amateur events. Wayne Pugh – biggest thing facing commission right now is that we don’t have criteria to approve sanctioning.

Comments from public member Jeff Mullen. Trying to regulate amateur boxing is opening a can of worms. Best thing to do is write a set of uniform rules. Need to be stricter than professional ones. Commissioner Frauwirth – need rules in place that protect amateurs. If someone else regulates that's fine. AG Leslie Bridges – statute as written does not allow for that regulatory overlay. Commission will need to take that up with legislature b/c it goes beyond scope of legislative intent.

Commissioner Smith – move to recognize USA boxing as authority for amateur boxing. Steve Majchrzak – finish rules than approve fees, then separate motions.

Page 29 of rules. AG Leslie Bridges – statute allows commission to put rules and regulations in place to permitting the events. Will review question as to if commission can regulate amount charged to amateur spectators.

Steve Majchrzak – responsibility of commission to certify and recognize amateur sanctioning organizations. Fee is the distinction.

Commissioner Howard page 29 0145-05-.03(1) add at end of rule that “, unless approved by majority of commission”. Wants to get show rolling. Chairman Sammons – but have to give notice of a meeting under Sunshine Law of 5 days notice. Commissioner Howard – can we have a sub-committee to approve that? Commissioner Spindler – it would be executive director? Steve Majchrzak – Exec. Dir. issues permits. Do you want to have to meet every time an amateur event is requesting permitting less than 30 days? Commissioner Clark – Exec. Dir. should have power to approve less than 30 days.

0145-05-.03(1) “unless otherwise approved by commission or its designee.”

Page 29 approved as amended.

Commissioner Spindler – if letting USA boxing sanction, maybe we should recognize MMA sanctions so that we're not regulating amateur events.

Public comment by Jeff Mullen.

AG Leslie Bridges – act does not require that language. Commissioner Frauwirth – subtract “as strict as” language from 0145-05-.02

Commissioner Howard – as to the intent of the amateur bill. What was the spirit? Comments by public member Melissa Bass from FedEx forum. Intent and purpose of sponsors and legislature was that we did not regulate amateur events. However, we don't want to introduce ‘toughman’ back into state. At least want to know how many are going on in State. Permits give knowledge as to what is going on in the State. Intent was not to regulate only have a permit process and get a count on how many are doing business in this State at amateur level. Commissioner Hannah – makes sense but avoid melees. Don't want to regulate amateur. Commissioner Frauwirth – create a rule set that makes it

safe for the fighters. Just sanction it. If other states regulate that event we have lost control. Need safety for amateurs.

Steve Majchrzak – recognize sanctioning organizations for amateur events. Will of commission may require a permitting for each event? To simplify issue: authority allowing commission to regulate amateur events did not go into final version of bill. Can sanction and approve regulators and charge fee, but do not have authority to promulgate rules. Chairman Sammons – how do we help amateur combatants? Until we approve sanctioning organization, amateurs can't fight. Steve Majchrzak – correct. Can designate administrator, smaller sub-cmte. USA boxing is familiar to all whereas other sanctioning bodies are not. AG Leslie Bridges – need criteria for sanctioning bodies under Uniform admin. Proc. Act.

Commissioner Clark – if we adopt what we have approved on 30 pages, and move on, we can deal with amateur issues today.

Page 30 approved.

Commissioner Clark moved to approve rules as amended and without fees, Commissioner Hannah seconded. Unanimous.

### **Fees**

Licensing fees are pursuant to statutes. \$50.00 application fee. Commissioner White – what about annual fees? Steve Majchrzak – biannual, for two year licenses.

Commissioner Smith – need to help people who are currently licensed. Commissioner Clark – we are in violation if we give people credit for what is paid. Steve Majchrzak – statute calls for application fee separate and apart from licensing fee. Need to decide what licensing fee will be. Option is waiving licensing fee but can't waive application fee.

Steve Majchrzak – would recommend anyone licensed prior to December 31, 2008 that their licensing fee be waived. Would get fee waived but can't take away application fee per statute. Commissioner White – what about people who have lost a year...Steve Marchszak – give them a new two-year license if unexpired as of December 31, 2008. And comply with rules and regulations, terms and conditions. Extend to promoters or just combatants? Promoters were previously charged \$100. Commissioner White – determine how much revenue we would forgo under this plan? Steve Majchrzak – licensing fees waived = \$19k over 2 years. Commissioner White – will establish good will in industry. Commissioner Smith – everyone except promoters.

Steve Majchrzak – anyone whose existing license has not expired and before December 31, 2008, licensing fee is waived will get a 2-year license if approved. Licensing fee for new boxing or MMA individuals?

Wayne Pugh – need language for rule. “Anyone who has a current license with state paid and secured for prior to September 30, 2008 that license fee will be waived if application made by December 31, 2008.”

Steve Majchrzak – annual fees on chart, TN is doubled. No app fee in other states.

Discussion of fee schedule.

Commissioner Clark moves to accept Nevada rates less drs. rates. Commissioner Smith seconds. Discussion. Promoter fee going from \$100 to \$500 but still has to pay application fee. Yes. Unanimous vote carried.

Event permit fee discussion. Filed with 30 day notice. Commissioner Spindler – capacity of venue. Steve Majchrzak – can’t base it on venue size because some are in parking lots. \$\_\_\_\_\_ event permit fee.

Commissioner Smith – made a motion to approve/recognize USA amateur boxing as sanctioning body

Commissioner Clark seconded, motion carried.

### **Fee schedule as approved:**

Commissioner Clark - when will rules be ready? Wayne Pugh – by Thursday. Commissioner Clark – time table for AG to approve these rules. AG Leslie Bridges – depends on availability of atty. general. AG Leslie Bridges – by end of next week if possible. Commissioner Clark – end of that week is 11<sup>th</sup>. Many events want to get going before 11<sup>th</sup>. When can we tell amateurs boxing they can hold events? Steve Majchrzak – there is an issue of issuing amateur permits. Just as to boxing.

Steve Majchrzak – we did put in a permitting provision for amateur events, but no fee set. Does exist in rules. Commissioner Clark – if we’re going to use target date of 11<sup>th</sup> for the rules to be accepted, it’s not going to happen for people who want permits.

Commissioner Clark – move to waive permitting fee for 60 days, not permitting itself. AG Leslie Bridges - could waive permitting fees for amateur boxing under statute. No latitude under section B, combatant must comply with that section. Until rules are in place, commission has latitude to waive permitting process under subsection A but not under section B. Steve Majchrzak – sanctioning in place, but permitting/fees in place. Once rules are adopted, there would be a permit process in place.

How far in advance to obtain permit? USA boxing rule is 2 weeks in advance. Permit fee? Commissioner White suggested waiving permitting fees until January 1, 2009.

Commissioner White moved to make permitting apply as of January 1, 2009, Commissioner Clark seconded. Wayne Pugh – these are only in effect 165 days. Take it out and address at rulemaking hearing.

Commissioner White - withdrew motion. Commissioner White - Move to remove portion to permitting amateur events, Commissioner Clark seconded. 8 for, 1 abstention (Commissioner Frauwirth abstained). Revisit at rulemaking hearing.

Subcommittee to discuss MMA sanctioning organizations – consists of Commissioners Hannah and Mast.

Next meeting will be in 3-4 weeks. Commissioner White moved to have Wayne Pugh draft regulatory flex analysis, Commissioner Clark seconded, and the motion carried.

**Public Comment by:**

Todd Murray Jonesboro TN 6:02 – 6:04

Anthony Maness Lexington TN 6:05 – 6:05

Chris Kimball Searcy AR 6:05 – 6:06

Will Clark Fayetteville NC 6:06 – 6:09

Jesse Drake (absent)

Guy Rortz (refused to comment)

Charles Doug Powell Andersonville/Hendersonville TN 6:10 – 6:13

Dan Ford (absent)

Jackie Bortz Kingsport 6:13 – 6:14

Thomas Maynard Brentwood atty. 6:15 – 6:16

Freddie Boges Spring Hill TN 6:17 – 6:18

Steve Majchrzak – if interest of board, have a forum for application for consideration as amateur sanctioning body, then empower the sub-committee to review apps and have teleconference by necessity. Chairman Sammons – no provision in bill for interim period. Understand frustration and financial hardships.

Ramon absent.

Michael absent.

William Williams absent.

Christy-

Casey Oxidine 6:18 – 6:20

Jim McMurtrie Winchester KY 6:22 – 6:24

Commissioner Hannah – motion for purposes of amateur MMA that we recognize IKF and ISKA and WKA as sanctioning organizations. Can change rules in 165 days. Wayne Pugh – trying to recognize as approved sanctioning org. for MMA. Those three are specifically mentioned in statute, and that shows intent of legislature. Commissioner White seconded the motion. AG Leslie Bridges – intent to recognize entities temporarily until sub-cmte. can make recommendations? Commissioner Hannah – yes. Wayne Pugh

– took permitting provision for amateur events out of emergency rules so cannot make money via permit and application fee. Unanimous vote carries.

Commissioner Clark – relief to amateur boxing and amateur MMA, why can't we hire an interim director such as Jeff Mullens. Chairman Sammons – no gov't process for interim director. Commissioner Clark – we need to give relief; if we can't hire someone can we hire a consultant? Steve Majchrzak – licensing activity will be handled by C&I staff. Need to look at procurement code as far as cost and time of consultant. RFP process or alternative procurement method. Suggest that commission authorize staff to investigate alternative contract regulators. Commissioner Frauwirth – interim director? Steve Majchrzak – state does not have interim directors from outside. Will be contracting events anyway b/c Exec. Dir. can't be everything at events.

**Adjourn** at 6:35 p.m.